STATE OF MARYLAND
DEPARTMENT OF AGRICULTURE
BEFORE THE STATE BOARD OF VETERINARY MEDICAL EXAMINERS

IN THE MATTER OF:	*	
ARNEL B. PERALTA, D.V.M. LICENSE NO. 4166	*	DOCKET NO. 13-46
NEW HAMPSHIRE AVENUE ANIMAL HOSPITAL HOSPITAL LICENSE NO. 16-029	*	

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CIVIL PENALTY FINAL ORDER

This Civil Penalty Final Order (Order), dated this 10th day of April, 2013, is issued by the Maryland State Board of Veterinary Medical Examiners (Board) against Arnel B. Peralta, D.V.M. (Dr. Peralta), License No. 4166. This Order confirms the intention of Dr. Peralta to waive the right to contest the charges filed by the Board on February 4, 2013 in Docket No. 13-46, alleging that Dr. Peralta violated Agriculture Article Section 2-313(1), Md. Code Ann., of the Veterinary Practice Act and certain related Code of Maryland Regulations (COMAR). Specifically, in Docket No. 13-46, the Board alleged that Dr. Peralta violated COMAR 15.14.01.11 Annual Registration and 15.14.03.01-1A Licensing Requirement, on or about July 1, 2012 through August 20, 2012, by practicing veterinary medicine without a valid registration for Fiscal Year (FY) 2013 and, during the same time period, by operating a veterinary hospital, the New Hampshire Avenue Animal Hospital, located at 6701 New Hampshire Avenue, in Takoma Park, Maryland 20912, without a valid hospital license from the Board for FY 2013. On or about April 4, 2013, Dr. Peralta submitted full payment of the combined civil penalty assessed by the Board as the only sanction in this matter and, thus, voluntarily waived the right to a hearing and appeal on the charges in Docket No. 13-46.

Under State law, the Board is the licensing authority responsible for regulating the practice of veterinary medicine in this State, which includes filing disciplinary actions against veterinarians charged with violating provisions of the Veterinary Practice Act, Agriculture Article §§ 2-301 *et seq.*, Annotated Code of Maryland and related regulations. As part of its authority, the Board "may refuse, suspend, or revoke any application or

license, and censure or place on probation any licensee . . . if the veterinarian or veterinary practitioner . . . [f]ails to comply with Board rules and regulations after receiving a license." Md. Code Ann., Agric. Art., § 2-310(8). In addition, the Board may impose a civil penalty of not more than $5,000 for a first offense, or $10,000 for a second or subsequent offense in lieu of or in addition to suspending, or revoking a veterinarian's license, respectively. Md. Code Ann., Agric. Art. § 2-310.1. In setting the amount of a civil penalty, the Board considers the severity of the violation, the good faith of the violator, and the history of prior violations, as well as the Board's regulatory civil penalty standards. Md. Code Ann., State Gov't Art. § 10-1001(b); COMAR 15.14.11 Civil Penalty Standards for Veterinarians.

FINDINGS OF FACT AND CONCLUSIONS OF LAW

Dr. Peralta has submitted payment of the combined $400 civil penalty assessed by the Board in Docket No. 13-46, and waived the right to a hearing or appeal of the charges. After having the opportunity to seek advice of legal counsel, Dr. Peralta voluntarily agreed to the Board's sanction, acknowledging that the Board has sufficient evidence to find, as fact, and conclude as a matter of law that he did violate Agriculture Article Section 2-313(1), Md. Code Ann., of the Veterinary Practice Act and certain regulations adopted under the Veterinary Practice Act; specifically, COMAR 15.14.01.11 Annual Registration and COMAR 15.14.03.01-1A Licensing Requirement, by practicing veterinary medicine on or about July 1, 2012 through August 20, 2012 without a valid registration from the Board for FY 2013, and by operating a veterinary hospital, New Hampshire Avenue Animal Hospital, Hospital License No. 16-029, located at 6701 New Hampshire Avenue in Takoma Park, Maryland 20912, on or about July 1, 2012 through August 20, 2012 without a valid hospital license from the Board for FY 2013.

Taking all the facts and circumstances into consideration, including the nature of the violations, the veterinarian's lack of prior disciplinary history with the Board, and the veterinarian's good faith effort to resolve these matters promptly, the Board concluded that the most reasonable and appropriate resolution in this matter was a combined civil penalty only.

ORDER

Based on the foregoing Findings of Fact and Conclusions of Law, it is this 10th day of April, 2013, by the Maryland State Board of Veterinary Medical Examiners, **ORDERED** that for the violation of Section 2-313(1) of the Veterinary Practice Act, COMAR 15.14.01.11 Annual Registration, and COMAR 15.14.03.01-1A Licensing Requirement, Dr. Peralta is assessed a combined civil penalty in the amount of $400. The Board acknowledges that payment of $400 was received from Dr. Peralta on April 4, 2013.

Chris H. Runde, DVM

Chris H. Runde, D.V.M.
President
Maryland State Board of Veterinary Medical Examiners